



## **"The City With a Heart"**

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Sujendra Mishra, *Chair*  
Rick Biasotti, *Vice Chair*  
Mary Lou Johnson  
Perry Petersen  
Kevin Chase  
Joe Sammut  
Bob Marshall, Jr.

### **MINUTES PLANNING COMMISSION MEETING**

**June 19, 2012**

**7:00 p.m.**

**Meeting location: Senior Center, 1555 Crystal Springs Road, San Bruno**

**CALL TO ORDER at 7:02 pm.**

#### **ROLL CALL**

	<u><b>Present</b></u>	<u><b>Absent</b></u>
<b>Chair Mishra</b>	<b>X</b>	
<b>Vice Chair Biasotti</b>	<b>X</b>	
<b>Commissioner Sammut</b>	<b>X</b>	
<b>Commissioner Marshall</b>	<b>X</b>	
<b>Commissioner Petersen</b>	<b>X</b>	
<b>Commissioner Chase</b>	<b>X</b>	<b>Arrived at 7:35</b>
<b>Commissioner Johnson</b>	<b>X</b>	

#### **STAFF PRESENT:**

Planning Division: Community Development Director: Aaron Aknin  
Associate Planner: Laura Russell  
Assistant Planner: Matt Neuebaumer  
Recording Secretary: Shauna Williams

Pledge of Allegiance: Commissioner Sammut

#### **1. Approval of Minutes – April 17, 2012**

**Motion to Approve Minutes of April 17, 2012 Planning Commission meeting.**

**Petersen/ Biasotti**

VOTE: 6-0  
AYES: All Commissioners Present.  
NOES: None  
ABSTAIN: None

#### **2. Communication**

E-Packets are available on line at [www.sanbruno.ca.gov](http://www.sanbruno.ca.gov)

Draft Transit Corridor Plan is available on line at [www.planbruno.org](http://www.planbruno.org)

Rebuild Crestmoor website is available at [www.rebuildcrestmoor.org](http://www.rebuildcrestmoor.org)

CD Director Akin: The Planning Commission received an email from a citizen expressing concerns about alcohol consumption in the downtown area and the potential of fights occurring in the parking lots of Big Joes and 40's Pub. This type of complaint is not usually brought in front of the Planning Commission; however, the citizen did copy the email to the San Bruno Police Chief. Chief Telford did respond to the citizen's concerns and has also taken action by sending more patrol cars to the area. The existing bars and pubs are grandfathered in and must abide by certain performance standards. If the Police Chief declares that the business is not meeting these performance standards, a hearing will be set for the business owners to appear in front of the Planning Commission for a final decision on whether or not they are meeting the performance standards. I will keep you informed on any further action.

### 3. Public Comment

### 4. Announcement of Conflict of Interest

### 5. Public Hearings

#### A. 3850 Madera Avenue

**Request for a Use Permit to allow an addition which increases the gross floor area by greater than 50% (61%) and would exceed 2,800 square feet of living area (3,001 square feet) with a two-car garage per Sections per Sections 12.200.030.B.1 and 12.200.080.A.3, of the San Bruno Municipal Code. Beausoleil Architects (Applicant), Raquel and Bob Rebres (Owners) UP-12-003.**

*Associate Planner Russell:* Entered staff report.

Staff recommends that the Planning Commission **approve** Use Permit 12-003 based on the Findings of Fact 1-7, subject to Conditions of Approval (1-25).

*Chair Mishra* asked Commission if there were any questions for staff.

*Vice Chair Biasotti:* I see the floor area ratio is proposed as .51 and the zoning requirements allow up to .55. So this application is well below the threshold.

*Associate Planner Russell:* Correct, it does meet the development standards for floor area.

*Commissioner Marshall:* On condition #10, do you think we should have an asterisk on the gross floor area, so that in the future a new owner can clearly see that the floor area is not 3366 sq. ft? Isn't that what the staff report is explaining?

*Associate Planner Russell:* It is, in terms of a technical interpretation of the code. They intend to use it as a storage area but because it has a ceiling height of 7'-6" it is included in the floor area calculation.

*Commissioner Marshall:* What is the square footage of the storage area?

Public Comment Opened.

*Bob; Beausoleil Architects:* I wanted to clarify that the storage space is roughly 440 square feet and is not a heated space. Fortunately, the ceiling height is 7'-6" so in the future they can convert it if needed.

The owners wanted a simple addition and I believe the proposed design reflects that. I am available for any questions.

*Chair Mishra:* I own a house with the same floor plan and it is currently under construction. The plan proposes a dual roof without the support of a load-bearing wall. What is the reasoning behind the two-pitched roof? Why would you not tear off the roof completely and re-design?

*Bob; Beausoleil Architects:* Redesigning the entire roof is not in the budget and the property owner likes the look of the dual roof. We can put in a support beam in the back where we are taking out the wall, which will support the new trusses and the new roof.

*Chair Mishra:* In-between the storage room and the crawl space there is a retaining wall with two posts. Do you have any plans for this area?

*Bob; Beausoleil Architects:* We do not have plans to alter this area.

*Chair Mishra:* In my experience, water seeps into the house from this common area and you may want to implement some mitigated measures while digging in that back area to prevent the water overflow.

*Bob; Beausoleil Architects:* The property owner currently has a sump-pump in that location for those reasons. We hope to solve the water problem during construction.

*Chair Mishra:* As you implement you green features you should consider re-using that water supply.

Public Comment Closed.

**Motion to approve Use Permit 12-003 based on Findings of Fact (1-7) and Conditions of Approval (1-25).**

**Commissioner Petersen/ Marshall**

VOTE: 6-0  
 AYES: All Commissioners Present.  
 NOES: None  
 ABSTAIN: None

**Chair Mishra advised of a 10-day appeal period**

**FINDINGS OF FACT**

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.
2. The proposed development will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given its quality architectural features and its general conformance to a majority of regulations as set forth in the Municipal Code.
3. The proposed development will be consistent with the general plan.
4. The proposed development, as set forth on the plans, and with recommendations by staff, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.
5. That the general appearance of the proposed building, structure, or grounds will be in keeping with

the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood.

6. The proposed expansion complies with applicable off-street parking standards of the City of San Bruno Zoning Ordinance.
7. That any proposed single-family or two-family dwelling conforms to the basic design principles of the residential design guidelines as adopted by resolution by the city council and as may be revised from time to time.

### **CONDITIONS OF APPROVAL**

#### **Community Development Department - (650) 616-7074**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 12-003 shall not be valid for any purpose. Use Permit 12-003 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the Summary of Hearing shall be photocopied and included on a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on June 19, 2012 labeled Exhibit C except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code or as storage. The residence must have the ability to park one vehicle in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.



9. Prior to Final Inspection, 15% of the site shall be landscaped and any site landscaping damaged during construction shall be replanted to the satisfaction of the Community Development Director.
10. If at any time in the future the property owner elects to finish the lower level storage into living area (habitable living space), the owner shall first obtain a building permit and comply with the building codes in effect at that time.
11. The applicant shall remove the storage shed in the left side yard or relocate it to be in compliance with the Municipal Code.

**Department of Public Services - (650) 616-7065**

12. Please note that the front property line is located 3.5 feet behind the sidewalk at Madera Way. No new fences, retaining walls, or other permanent structure shall be placed or constructed within 3.5 feet from back of sidewalk. S.B.M.C. 8.08.010.
13. The Applicant shall provide flow line diagrams for cold water lines, hot water lines, gas lines, and sanitary sewer lines to include all existing and proposed systems in accordance with the applicable California Building Code 2010.
14. Encroachment Permit from Public Works Department is required prior to commencing any work within the City's public right-of-way. S.B.M.C. 8.16.010.
15. All damaged curb, gutter, sidewalk or driveway in the public right-of-way fronting the property shall be removed and replaced. Remove and replace all damaged and/or broken sidewalk at front of property for all location where there are any raised or offset concrete sections greater than or equal to 3/4 -inch. S.B.M.C. 8.12.010.
16. Planting of one 36-inch box size approved tree or payment to the in-lieu replacement tree fund per most current fee schedule is required. Tree shall be located on Oakmont Drive. S.B.M.C. 8.24.060. At the current rate, the impact payment required is \$540. A separate tree-planting permit is required from Parks and Recreation Services for any new street tree.
17. Show the location of the existing or proposed sanitary sewer cleanout on the plans. If not present, the applicant shall install a sanitary sewer lateral clean-out at property line per City standards detail SS-01
18. Paint address number on face of curb near driveway approach. Black lettering on white background.
19. Erosion control plan and storm water pollution prevention plan required. Must show existing storm drain inlets and other storm water collection locations protect by silt screens or silt fence. Work shall conform to the current NPDES requirements. S.B. Municipal Code 12.16.020.
20. Storm water from new and existing roof down spouts and other on-site drainage, shall be collected and drained to an underground storm water system or through an under sidewalk curb drain to the gutter per City standards detail ST-03.
21. The building permit plans shall include a site plan that shows all properly lines, setbacks and easements, and all existing and proposed grading and drainage improvements. All unpaved areas shall be graded to slope at 1% or more. All paved areas shall be graded to slope at 0.5% or more. All grading and drainage work shall conform to the current NPDES requirements. S.B.MC. 12.16.020

22. Perform water demand calculation based requirements in Chapter 7 of the California Plumbing Code to confirm that the existing water service and meter are sufficient to serve water demand. If existing meter is undersized, a new meter is required. Applicant shall pay water and sewer capacity charges based on the size of the water meter installed along with materials and installation of water meter. S.B.M.C. 10.14.020/110.

**Fire Department- (650) 616-7096**

23. Address numbers to be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
24. Provide hard-wired smoke detectors with battery backup as required by building code.
25. Provide spark arrester for chimney if not currently in place.

**B. 100 Acaica Avenue**

**Request for a Use Permit to allow an addition which increases the gross floor area by greater than 50% and a Minor Modification to continue an 8'-0" street side yard setback where 10'-0" is required per Sections 12.200.030.B.1 and 12.120.010.A of the San Bruno Municipal Code. Jason Chan (Applicant), Cui Wei Chen (Owner) UP-12-005 & MM-12-001.**

*Assistant Planner Neuebaumer:* Entered staff report.

Staff recommends that the Planning Commission approve Use Permit 12-005 and Minor Modification 12-001, based on Findings of Fact 1-9 and subject to Conditions of Approval 1-25.

*Chair Mishra* asked Commission if there were any questions for staff.

*Commissioner Marshall:* Is condition #7 necessary? Isn't Planning approval for a 2<sup>nd</sup> unit a city requirement for any zoning type?

*Assistant Planner Neuebaumer:* Yes, however, the Architectural Review Committee was concerned with the floor plan layout and how easily it could be converted to a 2<sup>nd</sup> unit. This condition would put future property owners on notice that this property is not a 2<sup>nd</sup> unit unless they receive Planning Division approval.

*Commissioner Marshall:* I don't think a deed restriction is necessary. The verbiage is in our code and it is a well-known requirement. Unless we have Finding of Facts because of the certain layout of this house and easy access for a 2<sup>nd</sup> unit, it should be removed. If we are going to assess this condition to this property we should be doing to all properties.

*CD Director Akin:* We have not set this kind of condition before. If we apply this condition to this application we should apply it to all properties with a similar floor plan.

*Commissioner Petersen:* I agree with Commissioner Marshall. I don't feel this condition should be assessed to this application. There have been plenty of properties with the same floor plan in the past and were not given this condition.

*Commissioner Marshall:* The deed restriction will be a hassle for lenders to lift.

*Commissioner Johnson:* I agree with Commissioner Marshall's comments. Unless there is some historical issue with 2<sup>nd</sup> unit conversions; I feel this condition is not necessary. I feel it requires some more review before the Planning Commission can make a decision on something of this nature.

*Commissioner Sammut:* It looks to me like the elevations on page A-4 within the staff report are labeled incorrectly.

*Assistant Planner Neuebaumer:* The west elevation is the side of the house. We define the front of the lot as the shortest street frontage. It is a corner lot; on the Santa Lucia side they have 40 ft of street frontage and would be considered the front of the lot.

*Commissioner Sammut:* So the front door and garage door are not on the front of the lot?

*Assistant Planner Neuebaumer:* Correct, and they have an Acacia address.

*Commissioner Johnson:* Is there something with the specific layout of the property that can be restructured to avoid the deed restriction requirement?

*Assistant Planner Neuebaumer:* Looking at the floor plan and overall site plan, they are limited on what they can do as far as their addition goes. There are two street trees that influenced the design of the addition. In order to have internal circulation they had to convert a portion of the garage into a hallway space to connect the existing single-family home with the proposed addition given the site restraints.

*Commissioner Petersen:* This proposal actually reduces the garage space from two cars to one car.

*Assistant Planner Neuebaumer:* It is going from a large 1-car garage to a smaller 1-car garage.

*Commissioner Marshall:* I noticed the garage only has one exit, does it need a secondary exit?

*CD Director Akin:* There is no requirement within the Zoning Code and I will check with the Building Official if there is anything in the Building Code.

*Commissioner Marshall:* It came up as a fire safety concern in South San Francisco for residential.

*Chair Mishra:* Most garage doors have a red emergency cord that can be used in case of a fire.

Public Comment Opened.

*Jason Chan; Architect:* Staff did a great job with the staff report. We want to keep the garage in the same location to avoid cutting down the city tree and having to relocate the curb cut. The property owner has small children and needs more room.

*Commissioner Johnson:* Does the owner agree with the conditions of approval, including condition #7?

*Jason Chan; Architect:* The property owner has no intention of converting the home into two units. The owner does not mind the condition and feels it does no harm.

*Commissioner Johnson:* So the property owner is not opposed to the deed restriction.

Public Comment Closed.

*Commissioner Johnson:* I would like to know how the Director feels about Condition 7.

*CD Director Akin:* If it weren't for the Architectural Review Committees recommendation, staff would not have included this condition in the staff report. I think if you do want to include it, we should include it consistently going forward. I spoke with the City Attorney before including this condition and he mentioned that some cities do this and that it is not unheard of. If the Planning Commission is comfortable not including this condition and letting our normal zoning and building laws take affect, then staff would have no issues removing the condition.

*Commissioner Johnson:* I would like to eliminate condition #7.

**Motion to approve Use Permit 12-005 and Minor Modification 12-001 based on Findings of Fact (1-9) and Conditions of Approval (1-25). With the removal of condition #7.**

**Commissioner Petersen/ Johnson**

VOTE: 7-0  
AYES: All Commissioners Present.  
NOES: None  
ABSTAIN: None

**Chair Mishra advised of a 10-day appeal period**

**FINDINGS OF FACT**

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.
2. The proposed development will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given its quality architectural features and its general conformance to a majority of regulations as set forth in the Municipal Code.
3. The proposed development will be consistent with the general plan.
4. The proposed development, as set forth on the plans, and with recommendations by staff, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.
5. That the general appearance of the proposed building, structure, or grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood.
6. The proposed expansion complies with applicable off-street parking standards of the City of San Bruno Zoning Ordinance.
7. That any proposed single-family or two-family dwelling conforms to the basic design principles of the residential design guidelines as adopted by resolution by the city council and as may be revised from time to time.
8. That the general appearance of the proposed building or structure, or modification, thereof, is in keeping with the character of the neighborhood.
9. That the minor modification will not be detrimental to adjacent real property.

**CONDITIONS OF APPROVAL**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 12-005 shall not be valid for any purpose. Use Permit 12-005 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.



2. The signed copy of the Summary of Hearing shall be photocopied and included on a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on June 19, 2012 labeled Exhibit C except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.
- ~~7. A deed restriction shall be recorded against the property prior to building permit final. The deed restriction shall prohibit the conversion of any portion of the home into a separate living unit without first obtaining Planning Division approval.~~
8. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the California Building Code or as storage. The residence must have the ability to park one vehicle in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
9. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.
10. Prior to Final Inspection, 15% of the site shall be landscaped and any site landscaping damaged during construction shall be replanted to the satisfaction of the Community Development Director. The applicant shall submit a complete landscaping plan at the time of building permit submittal. No more than 80% of the lot shall consist of impervious surface.
11. The developer shall indemnify, defend, and hold harmless the city, its officers, employees and agents, from any and all claims and lawsuits from third party(s) involving or related to the city's consideration and/or approval of the developer's application for development.
12. Please note that the property line is located 2.0 feet behind the sidewalk at Acacia Avenue and 5.5 feet behind the sidewalk at Santa Lucia Avenue. No fences, retaining walls, or other permanent structure shall be placed or constructed within 2.0 feet from back of sidewalk along Acacia Avenue and 5.5 feet from the back of the sidewalk along San Felipe Avenue. S.B.M.C. 8.08.010.
13. The Applicant shall provide flow line diagrams for cold water lines, hot water lines, gas lines, and sanitary sewer lines to include all existing and proposed systems in accordance with the applicable California Building Code 2010.

14. Encroachment Permit from Public Works Department is required prior to commencing any work within the City's public right-of-way. S.B.M.C. 8.16.010.
15. All damaged curb, gutter, sidewalk or driveway in the public right-of-way fronting the property shall be removed and replaced. Remove and replace all damaged and/or broken sidewalk at front of property for all location where there are any raised or offset concrete sections greater than or equal to 3/4 -inch. S.B.M.C. 8.12.010.
16. Planting of one 36-inch box size approved tree or payment to the in-lieu replacement tree fund per most current fee schedule is required. Tree shall be located on Acacia Avenue. S.B.M.C. 8.24.060. At the current rate, the impact payment required is \$540. A separate tree-planting permit is required from Parks and Recreation Services for any new street tree.
17. If not present, the applicant shall install a sanitary sewer lateral clean-out at property line per City standards detail SS-01
18. Paint address number on face of curb near driveway approach. Black lettering on white background.
19. Erosion control plan and storm water pollution prevention plan required. Must show existing storm drain inlets and other storm water collection locations protect by silt screens or silt fence. Work shall conform to the current NPDES requirements. S.B. Municipal Code 12.16.020.
20. Storm water from new and existing roof down spouts and other on-site drainage, shall be collected and drained to an underground storm water system or through an under sidewalk curb drain to the gutter per City standards detail SI-03.
21. The building permit plans shall include a site plan that shows all properly lines, setbacks and easements, and all existing and proposed grading and drainage improvements. All unpaved areas shall be graded to slope at 1% or more. All paved areas shall be graded to slope at 0.5% or more. All grading and drainage work shall conform to the current NPDES requirements. S.B.MC. 12.16.020
22. Perform water demand calculation based requirements in Chapter 7 of the California Plumbing Code to confirm that the existing water service and meter are sufficient to serve water demand. If existing meter is undersized, a new meter is required. Applicant shall pay water and sewer capacity charges based on the size of the water meter installed along with materials and installation of water meter. S.B.M.C. 10.14.020/110.
23. Address numbers to be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
24. Provide hard-wired smoke detectors with battery backup as required by building code.
25. Provide spark arrester for chimney if not currently in place.

**C. 1150 El Camino Real**

**Request for a Conditional Use Permit to allow a Farmer's Market per Section 12.96.190.C of the San Bruno Municipal Code. San Bruno Chamber of Commerce (Applicant) The Shops at Tanforan (Owner) UP12-006.**

**Commissioner Marshall & Commissioner Johnson recused themselves.**

*Associate Planner Russell:* Entered staff report.

Staff recommends that the Planning Commission **approve** Use Permit 12-006 based on the Findings of Fact 1-3, subject to Conditions of Approval (1-33).

*Chair Mishra* asked Commission if there were any questions for staff.

*Commissioner Petersen:* I think it is a great staff report, however, on page 4 it refers to 'peek mall parking requirements,' spelled p-e-e-k, is that the correct word?

*Associate Planner Russell:* No, I believe my grammar is wrong. It should be peak.

*Chair Mishra:* For condition #30, does it require the Police Chief and Community Development Director's approval, or is it one or the other?

*Associate Planner Russell:* It is both the Police Chief and the Community Development Director.

*Chair Mishra:* Conditions #17-18 state there should at least two van accessible ADA spaces, however I do not see them on the site plan. Is this requirement for in the vicinity of or is there a limit as to how far these van accessible ADA spaces are supposed to be?

*Associate Planner Russell:* You are correct; the spaces are not shown on the site plan. After the site plan was created, staff spoke with the Building Official about having those two van accessible ADA spaces. The spaces need to be within the immediately vicinity. Staff recommended that they reduce the amount of ADA spaces and stripe the two van accessible spaces or otherwise block it out to provide them immediately adjacent.

*Chair Mishra:* So, the ADA parking space, restroom, and sink will be provided on site. They are just not shown on the plan layout?

*Associate Planner Russell:* That is correct.

*Chair Mishra:* Was it ever considered to have the event in the Sear's parking lot? I feel it would be safer for pedestrians.

*Associate Planner Russell:* We did speak with the applicant about that. I would like to defer to the applicant for more information.

Public Comment Opened.

*Kirsten Pinochi; President of San Bruno Chamber of Commerce:* We did request that the Farmers Market be moved to the Shops at Tanforan. The market has been operating successfully every Sunday since May. The Chamber does a walk through on a weekly basis to make sure that all of the conditions are being met and that the market is running smoothly. The residents of San Bruno are enjoying the Farmers Market.

*Linda Larson; General Manager Shops at Tanforan:* What was your question?

*Chair Mishra:* Was it ever considered to have the event in the Sear's parking lot?

*Linda Larson; General Manager Shops at Tanforan:* There are a couple of issues; first, we don't own that property, it is owned by Sears. You would have to approach Sears for that. You are welcome too. I would be happy to approach them on your behalf but that is not what was requested of me.

*Alan Moy; Assistant Director Pacific Coast Farmers Market Assoc:* I would like to thank the Chamber, Shops at Tanforan and city staff for allowing us to operate on a Temporary Use Permit since May. The market has been operating well but has not reached full capacity. We would like to ask the Commission for some leniency on Conditions 18 & 19. Given the fact that we are half the capacity we would like to

ask that we only have one ADA restroom and sink on site until the market reaches full capacity. We could utilize the money saved for marketing purposes. Lastly, the verbiage for the fire extinguishers states they shall be mounted to a permanent location. Being that the market only operates on Sundays and all tents and booths are temporary, I would like to have that condition revised. I would like to propose that we place the fire extinguisher in a visible location at the information booth.

*Commissioner Petersen:* I would like to ask staff what they feel the Fire Department meant by a fixed location.

*CD Director Akin:* I think the Fire Departments intent is to have the fire extinguishers in a centrally located and consistent location. We can also address the ADA requirements to the satisfaction of the Building Official.

*Alan Moy; Assistant Director Pacific Coast Farmers Market Assoc:* Thank you.

*Linda Larson; General Manager Shops at Tanforan:* I did not receive a copy of the staff report nor was I advised of any conditions or requirements imposed on the property owner. There are also many demands being placed on the property owner that I would like to discuss. It appears that there is a demand for a new crosswalk and some directional signage. These are large and impactful requests of the property owner. By not being the applicant, I have not had the benefit of reading the documents and I have not been made aware of the demands put on ownership. I need to know them before I can let you proceed. I also think I have the right to make some statements as it relates to our desire to have the restrictions on signage and the demands for the crosswalk to be removed.

*Chair Mishra:* I am going to close public comment and then we will address your concerns.

Public Comment Closed.

*Commissioner Petersen:* I would like to ask the Tanforan representative to come back to the podium to further discuss the concerns and possible solutions.

*Linda Larson; General Manager Shops at Tanforan:* The Chamber of Commerce is perceived as a competitor to the Shops at Tanforan, which could not be less true. When the Chamber approached us with the Farmers Market proposal we gladly opened our doors and supported the proposal. I did not receive a copy of the staff report nor was I informed of the requirements of this event and the financial impacts it will make on the property owner. These demands should not be on the current application because they are non-relevant to the proposed event. As the crosswalk is concerned, this property is a Planned Development in which the city was intimately involved in the development of this facility. We are partners, we are symbiotic, and we benefit from each other. This property was designed, developed, approved, constructed and inspected by every single aspect and department with the City of San Bruno. We have complied with the safety regulations, ADA regulations, and everything required of that facility was performed to the satisfaction of the City. You are veteran Planning Directors you know that you can't just place a crosswalk without understanding its impact, its costs, how it can be negative to traffic, and a number of other issues. I can tell you that I had it assessed for cost and feasibility, and I would have to completely renovate that area to meet ADA requirements, ramps, and re-locate utilities. It is not as simple as striping the pavement. This is at least a \$10,000 project. You are asking a lot of the host you knocked on the door of to let you in. I am at a loss of how to assist you in this regard.

*Commissioner Petersen:* I asked you if you had any possible resolutions for your concerns to allow this application to move forward.

*Linda Larson; General Manager Shops at Tanforan:* This is a city project and it has been in place successfully for many of years. People cross at various locations and have for years without the presence of a crosswalk.



*Commissioner Petersen:* So your proposed resolution is to temporarily or permanently dismiss the signage and crosswalk provisions to allow the proposed application to be approved. If the city finds it to be at such importance then you will bring it back to discuss.

*Linda Larson; General Manager Shops at Tanforan:* I have no problem with that. I believe the crosswalk will cause us to lose a parking space and that has way more monetary value than a crosswalk. The bigger picture here is that the Chamber of Commerce and the City of San Bruno are trying to create a community event for their citizens and need a parking lot and we have one, it's that simple. If you would like to move the event to Sears, I would be more than happy to approach them myself and create a case on your behalf. I would be happy to start that process now.

*Commissioner Chase:* I would like to thank you for expressing your concerns and I feel you brought fourth some valid points.

*CD Director Akin:* As the general manager mentioned, there is a back-story to this issue. I first wanted to mention that both these conditions were placed as a direction of the City Council when we had the original meeting. Since 2007, the Shops at Tanforan have been operating without the required number of spaces. This is because of ADA improvements that were made to the Target level garage that eliminated amount 200 parking spaces. They started to go through a parking amendment process several years ago. The direction at both the Planning Commission and the City Council meeting was they were okay with the lower parking requirement provided that the mall places directional signage on the property to direct parking in other vacant areas. The reason this requirement is being placed on this application is because you are taking up parking spaces and you are already below the legal parking requirements. This is something that will be a requirement whether or not the Farmers Market is onsite or not. In regards to the crosswalk, the City Council noticed that it would draw extra pedestrian activity to a certain area. With that being said, staff is willing to sit down with Tanforan and look at alternative ways for the pedestrians to get around in this certain area. I would recommend adding language to state that a crosswalk or additional pedestrian measures added to the satisfaction of the City Engineer.

*Commissioner Chase:* You are still set on condition #33 for additional signage?

*CD Director Akin:* This has been a strong direction from the City Council for many years.

*Commissioner Chase:* The mall manager stated that she did not get a copy of the staff report with the conditions of approval prior to attending the meeting tonight. The conditions of approval pertaining to the property owner will cost them money, so I understand why this is a problem.

*CD Director Akin:* The property owner has been informed of these items via email. However, we did err by not sending it to the property owner. It was sent to the owner but not addressed to the mall manager.

*Commissioner Chase:* Is there a way to continue this item until August so that we can solve these problems.

*CD Director Akin:* The Farmers Market can operate until mid August on the Temporary Use Permit.

*Commissioner Petersen:* How did the Farmers Market obtain approval for a Temporary Use Permit without the final requirements being met?

*CD Director Akin:* I think we are all in agreement with the lower parking level being used as the additional parking. The main concern is the directional signage.

*Commissioner Petersen:* I have visited the mall many times during seasonal shopping hours and I have never had trouble finding a parking space.

*CD Director Akin:* We can continue this item to the July meeting so that we have time to work out these issues with the mall management.

Commissioner Biasotti asked the mall manager to approach the Commissioners' table to discuss map of parking lot.

**Motion to continue Use Permit 12-006 to the next Planning Commission meeting.**

**Commissioner Petersen/ Biasotti**

VOTE: 5-0

AYES: All Commissioners Present.

NOES: None

ABSTAIN: Commissioners Marshall and Johnson had recused themselves and were not present for the vote.

**Chair Mishra advised that the item is continued to the next Planning Commission meeting.**

**6. Discussion**

- A. City Staff Discussion:** Commissioners Sammut, Biasotti, and Petersen volunteered for the July 10, 2012 Architectural Review Committee meeting.

The Treetops Apartments, now called Pacific Bay Vistas Apartments, is making amazing progress in construction. They will start renting out the first set of apartments in July 2012. The rental market has been doing well and this project should be successful.

The Cedar Mills Homes on the corner of Cedar and Pepper Drive have been advertising the homes for sale. I believe they are going for \$799,000 to \$850,000. I believe the homes will be selling out in the next few months.

**B. Planning Commission Discussion:**

Commissioner Marshall: I have been approached by some residents who are asking why mobile food vendors can operate without having to abide by the same parking exceptions as restaurants.

CD Director Akin: We'll get back to you at a future meeting.

Commissioner Sammut: Mike's Auto Sales has a couple of signs on the fence that states if you park your vehicle on the street and it blocks the view of the lot it will be towed. I would like to request that staff take a look at the signage and handle it appropriately.

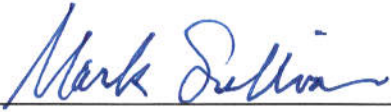
CD Director Akin: We will take a look at that sign.

Chair Mishra: the Commission received a Sustainable San Mateo County booklet tonight. For those of you who would like to view it at home, the website is [www.sustainablesanmateo.org](http://www.sustainablesanmateo.org).

CD Director Akin: I would also recommend visiting the City's website in the near future to view our proposed Climate Action Plan.

**7. Adjournment**

Meeting was adjourned at 8:27 pm



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**Aaron Akin**  
Secretary to the Planning Commission  
City of San Bruno



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**Sujendra Mishra**, Chair  
Planning Commission  
City of San Bruno

**NEXT MEETING: July 17, 2012**